

R E M A R K S

Reconsideration of this application, as amended, is respectfully requested.

THE CLAIMS

Claim 1 has been amended to incorporate the subject matter of (now canceled) claims 2 and 3, as well as to make some minor grammatical improvements. And claims 4-21 have been canceled.

In addition, new claims 22-24 have been added to recite further distinguishing features of the present invention, as supported by the disclosure in the specification and drawings.

No new matter has been added, and it is respectfully requested that the amendments to claim 1 and the addition of new claims 22-24 be approved and entered.

THE PRIOR ART REJECTION

Claims 1-5, 8, 10-19 and 21 were rejected under 35 USC 102 as being anticipated by USP 6,044,349 ("Tolopka et al"), claim 6 was rejected under 35 USC 103 as being obvious in view of the combination of Tolopka et al and USP 5,448,045 ("Clark"), and claims 7, 9 and 20 were rejected under 35 USC 103 as being obvious in view of the combination of Tolopka et al and USP 6,131,090 ("Basso, Jr. et al"). These rejections, however,

are respectfully traversed with respect to amended claim 1 and new claims 22-24.

According to the claimed present invention, a portable terminal and portable data storage medium system are provided in which it is determined whether or not the relationship between the portable terminal and the portable data storage medium is valid, and if the relationship is valid, both the portable data storage medium and the portable terminal to which the data storage medium is connected become usable, as recited in amended claim 1 and new claims 22-24.

Tolopka et al, by contrast, merely discloses a system in which an Information Seeking System (ISS 130) reads various data from a smart card 120 and accesses an Information Dissemination System (IDS 140) based on the read data to thereby read information. In addition, Tolopka et al also discloses determining whether the smart card 120 is valid based on various information stored on the card.

In Tolopka et al, however, ISS 130 is only a common system prepared for using various smart cards 120 therein. When a smart card 120 is inserted, the ISS 130 checks to see whether or not the smart card is valid and only reads necessary information from the smart card. And the system of Tolopka et al does not determine whether or not the relationship in correspondence

between the smart card 120 and the ISS 130 into which the card is inserted is valid.

Accordingly, it is respectfully submitted that Tolopka et al fails to disclose, teach or suggest the features of the portable terminal apparatus and portable data storage medium system of the claimed present invention whereby it is determined whether not the relationship in correspondence between the portable terminal and the portable data recording medium is valid, and if the relationship is valid, both the portable data storage medium and the portable terminal to which the data storage medium is connected become usable, as recited in amended claim 1 and new claims 22-24.

In particular, it is respectfully submitted that Tolopka et al fails to disclose, teach or suggest the feature of the claimed present invention whereby in order to determine the validity of the relationship in correspondence between the portable terminal and the portable data storage medium, it is determined whether or not the hardware ID stored on the connected data storage medium matches the hardware ID stored unchangeably on the portable terminal and that when an application is started after a match has been detected, it is determined whether or not the software ID stored on the portable data storage medium matches the software ID stored unchangeably on the portable terminal, as recited in amended claim 1 and new claims 22-24.

In summary, it is respectfully submitted that although Tolopka et al discloses storage of various information, the system disclosed in this reference only stores data corresponding to the various identification information, and that this reference fails to disclose, teach or storage of software applications available to a portable terminal and data files created/retrieved by the software.

In addition, it is respectfully submitted that Clark and Basso, Jr. et al also fail to disclose, teach or suggest the features of the portable terminal apparatus and portable data storage medium system of the claimed present invention whereby it is determined whether not the relationship in correspondence between the portable terminal and the portable data recording medium is valid, and if the relationship is valid, both the portable data storage medium and the portable terminal to which the data storage medium is connected become usable, as recited in amended claim 1 and new claims 22-24.

Accordingly, it is respectfully submitted that the present invention as recited in amended claim 1 and new claims 22-24 clearly patentably distinguishes over the cited references, taken singly or in any combination, under 35 USC 102 as well as under 35 USC 103.

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Application No. 09/652,499
Response to Office Action

In view of the foregoing, entry of this Amendment, allowance of the claims and the passing of this application to issue are respectfully solicited.

If the Examiner has any comments, questions, objections or recommendations, the Examiner is invited to telephone the undersigned at the telephone number given below for prompt action.

Respectfully submitted,



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